

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Tylius Durell Daniels

Docket No. 5:09-CR-96-1BO

Petition for Action on Term of Supervised Release

COMES NOW Timothy L. Gupton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tylius Durell Daniels, who, upon an earlier plea of guilty to Using and Carrying a Firearm in the Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1)(A), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on November 19, 2009, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Tylius Durell Daniels was released from custody on August 29, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 3, 2014, the defendant reported to the probation office for an initial office visit. During the office visit, Daniels submitted to an urinalysis screening, which tested positive for marijuana. The defendant admitted to using marijuana two weeks prior to the date of the office visit. Based on the defendant's admission to marijuana use, it is recommended that he participate in the Surprise Urinalysis Program (SUP) and substance abuse counseling. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Timothy L. Gupton

Timothy L. Gupton

U.S. Probation Officer

310 New Bern Avenue Room 610

Raleigh, NC 27601-1441

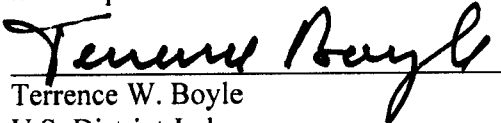
Phone: 919-861-8686

Executed On: September 4, 2014

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ORDER OF THE COURT

Considered and ordered this 5 day of September, 2014 and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge